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Cc: Higginbotham, Paul[PHIGGINB@idem.IN.gov]
From: Hess, Catherine
Sent: Fri 10/9/2015 3:57:55 PM
Subject: Groundwater Remediation General Permit
10082015 Groundwater Petroleum Remediation ING080000 Draft Permit w highlights.docx
10052015 Fact Sheet Groundwater Petroleum Remediation ING080000 Draft NPDES GP with highlights.docx

I have a time-sensitive question to pose to you, and I apologize in advance for not giving you much time to react to it. I really need an answer today. It has to do with whether or not we HAVE to public notice the revised draft general permit for the Groundwater Petroleum Remediation GP.

As you know we've been working on revisions to the groundwater remediation general permit to incorporate permit language and effluent limits that would allow for sites remediating diesel fuel and kerosene to also be covered by this GP. We've been tasked with making minimal changes to the GPs from the permit-by-rule format because it was only supposed to be a format conversion along with the incorporation of any new federal or state regulatory requirements. (Wish list items have to wait for a future modification or permit renewal.)

As I understand it the rule packet that will repeal the first 5 general permits is currently at the Governor's office and will likely be filed with the Legislative Services Agency any day now, which means the repeal will likely go into effect in the next 35 to 40 days. We've sent legal ads to several newspapers for publication on Tuesday, October 13th, but we're very concerned about the timing. What if we were to rescind the publication and just issue the final permit with the additional provisions for those facilities which are remediating diesel fuel and kerosene? Do we actually have to public notice the revised GP? Obviously we have been and would be notifying the regulated community prior to the issuance of the final permit of the changes, but it would help retain coverage for all of the facilities that are currently covered by the general permit.

The additional monitoring requirements do make the general permit more stringent. We have removed several of the additional parameters that we had included in the last unofficial draft that we sent to you, because we discovered that those parameters were really gasoline-based constituents, and not really related to diesel fuel. So we added a third table with limits for naphthalene and monitoring for PAHs for those facilities which are remediating diesel fuel and kerosene. I am attaching a copy of the latest version of the GP and fact sheet for your review. I have highlighted the newest language in the general permit, which appears on pages 4 and 5.

We're still requiring the expanded pollutant list for the wastewater characterization in the NOI, and we still have the provision in the permit that allows the Commissioner to include additional

monitoring requirements, if necessary. (See Section 3.1 on page 6) Or the permittee could still be required to obtain an individual permit as a result of the NOI review.

The reason I need a quick response is to give the newspapers enough time to yank the legal ad placement, if it is determined that we could potentially proceed without it. Any advice or input that you can provide today would be GREATLY APPRECIATED.

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